

Community Participation Committee
Report to the World Trade Center Expert
Technical Review Panel

Presented by
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Monday, September 13, 2004

This presentation is the result of
a Community meeting held on
Thursday, September 9, 2004.

Marcia Pinkett-Heller, an expert in
Community-Based Participatory Research
(CBPR), helped facilitate the meeting.

Presentation Overview

- Activities since July Panel Meeting: CBPR Progress Report
- Community Concerns
 - Process
 - Sampling Proposal
 - Unmet Public Health Needs

Activities since July 2004 Panel Meeting: CBPR Progress Report

- Continued to work with EPA on finalizing EPA Task Order Statement of Work (SOW) and Budget for the CBPR process which was started by EPA after 6/22/04 Panel meeting
 - Still waiting final contract from SRA
 - “Initial Scoping” Meeting set-up for 09/16/04
- Established formal mechanism to select WTC Community Facilitator Outreach Assistant (job description, selection committee and interview process). Announced position and application deadline (09/23/04).
- Began discussing Community Meeting on Deutsche Bank which would include a presentation by EPA and other agencies and affected community constituencies (date TBA).
- Began to review the “Proposed Monitoring Program to Determine Extent of WTC Impact” (revised version posted on-line 09/02/04)

Community Concerns: Process

- Panel and the WTC Community need to be involved in development of Panel Agenda.
- Specific requests by Community for science and policy-based presentations at the July and September Panel meetings not acted upon.
 - Dr. Joan Reibman for the July Panel meeting; Dr. Anthony Szema of SUNY, Stony Brook, to present his findings on post-9/11 pediatric asthma in the Chinatown community and the U.S. GAO to present its newly released reports on 9/11-related health and medical care issues for today.
- WTC Community has been left out of the scientific process of the panel.
- A CBPR process is working together to reach a goal – not just involving the impacted community when outreach is required to publicize a particular event or program.

Community Concerns: Process (continued)

- Unanswered questions: Questions posed by members of the Community during past “Public Comment/Question and Answer” sessions remain unanswered, including the following:
 - Who influences the final decisions about the operating procedures of this Panel and what is the role of the CEQ in the Panel process?
 - What is the budget for the Panel’s technical review, which involves no more than making recommendations?
 - What funds will be provided for actual testing and clean-up of contamination?
 - What funds will be provided for screening and treatment of the victims of the contamination?
- Transcript of meetings have been repeatedly requested by the Community and Panel members: an on-line digital tape recording is not a substitute.

Proposed Monitoring Program to Determine Extent of WTC Impact (revised 09/01/04)

Community quickly reached a consensus on the following:

- No indoor air sampling for individual units to be sampled.
 - Modified aggressive air testing did not work before and is not a validated method – spend precious resources on other activities.
 - Modified aggressive air sampling will negatively affect participation of residents and workplaces.

Proposed Monitoring Program to Determine Extent of WTC Impact (continued)

- WTC signature study is a research study concept at this time.
 - Bullet Point 6 in the “RECAP: March 1-August 31, 2004” states, “... instead discussions have led to the concept that a WTC signature exists in dust...”
 - A scientific study begins with a hypothesis which needs to be validated, so the wording needs to reflect this, “... a WTC signature may possibly exist....”
 - The current proposed sampling protocol must proceed whether or not a signature is validated.

Proposed Monitoring Program to Determine Extent of WTC Impact (continued)

- Lead must be included in the sampling protocol.
 - Lead is one of the six COPCs, according to EPA's peer reviewed report.
 - As identified on page 2 of the current "Proposed Monitoring Program to Determine Extent of WTC Impact," external expert comments solicited by the EPA under a peer review contract "encouraged the concurrent testing for lead."
 - Lead contamination is regulated, unlike some of the other COPCs.
 - No other metal has been included in the sampling program.
- WTC Community will only participate in outreach for a sampling program that they have confidence in.

Community Concerns: Unmet Public Health Needs

- 40-story Deutsche Bank Building Demolition (130 Liberty Street)
- 15-story Fitterman Hall Demolition (30 West Broadway)
- WTC Health Registry

Deutsche Bank Building Demolition

- At the last meeting, the panel heard from residents who requested:
 - EPA to be the lead agency in this project.
 - This panel to be actively involved in the demolition of the Deutsche Bank building.
 - Federal EPA to be the lead agency accountable for demolition of WTC contaminated buildings – not the LMDC.
 - EPA has the expertise to deal with contamination.
 - LMDC has a potential conflict of interest in managing this project since it's the owner of the building.

Deutsche Bank Building Demolition (continued)

- The WTC Community requests the following:
 - Exceedance standards must be developed in advance, so if there are any exceedances, the demolition must stop.
 - EPA provide an expert on high rise demolition in a dense urban area to present at the next Panel meeting.
 - EPA share with the Panel and the Community the results of EPA's own sampling of the Deutsche Bank conducted in August 2004.
 - EPA make available to the Panel and the Community all other sampling information provided to the EPA by R.J. Lee Corp., the LMDC, or others.

Deutsche Bank Building Demolition:

Community Board #1 Resolution Highlights (July 2004)

- The entire testing protocol should be provided to the public for scrutiny and input prior to any testing program.
- Contingency plans must be developed and enforced.
- Measures must be taken to contain the contaminants currently present in the building and insure that the building is properly sealed with no open areas. Such measures may include additional netting and/or a protective barrier around the entire façade.
- Use state of the art monitoring equipment to test for all contaminants known to be present in the building to detect any contamination released during demolition and transportation of debris -- should extend several blocks in all directions. Post all test results on the website in real time.
- All trucks to be used in the demolition must use low-sulfur fuel and be retrofitted to reduce emissions.

Fitterman Hall Demolition used by Borough of Manhattan Community College (BMCC)

- What is happening with this building that covers an entire NYC block located between 7 WTC and 90 Church?
- Located, like Deutsche Bank, in the middle of a densely populated area, including near several schools.
- Owned by the Dormitory Authority of the State of New York (DASNY).
- Request that a presentation be made to this Panel on the status of this building at the October 2004 Panel meeting.

WTC Health Registry

- Due to serious methodological flaws, the WTC Health Registry cannot be “enhanced.”
- No further funds should be provided to the WTC Health Registry and unspent funds should be re-allocated.

WTC Health Registry (continued)

Rationale:

- WTC Health Registry protocols display a shocking bias towards findings of no long-term physical health effects.
 - As stated on page 11 of Volume I Narrative, “One reasonable hypothesis is that there will not be long-term effects of the dust/debris/fumes inhalation, as all environmental measures indicate that exposures were neither long enough nor intense enough to cause permanent effects.”
- Money could be used more effectively for medical screening and treatment of affected WTC residents and workers.

WTC Health Registry (continued)

- No community or labor input in the Registry design.
 - Only in December 2003 was a “community advisory committee” established solely with the goal to increase community outreach.
 - First meeting with labor was held in January 2004 at the request of labor to discuss labor’s concerns.
- Extremely weak on outcomes due to scientific flaws, including: lack of adequate exposure definition; poorly worded questions whose answers cannot be interpreted; arbitrary inclusion criteria and geographic boundaries.
- Registry based solely on self-reported data, collected over 2 years after 9/11.

WTC Health Registry (continued)

- Poor enrollment resulting in:
 - Lack of statistical power needed to detect the risk of certain health conditions, e.g., asthma and lung cancer, as calculated in the WTC Registry protocol
 - Inability to generalize results to the target population of workers, residents and others due to excessive bias and confounding factors
- No real system or procedures in place to decide what research can be done with the data collected.

Unmet Public Health Needs: Exposures Related to Contamination and On-going Demolition and Construction

- “Avoid paralysis by analysis and apply precautionary measures where there are reasonable grounds for concern.”
 - “The general tenor of the lessons so far is to ‘know more’. But how much information about potential hazards is deemed enough to trigger risk reduction measures? There is a danger of paralysis by analysis where either information overload, or lack of political will, lead to a failure of timely hazard reduction measures.”
 - The Precautionary Principle: protecting public health, the environment and the future of our children (World Health Organization 2004, Chapter 7 “Late lessons from early warnings: improving science and governance under uncertainty and ignorance,” Gee & Stirling, p.110